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At a Meeting of the General Assembly of the Territory of Arkansas Began and Held at the Capitol in the Town of Little Rock on Monday the 6th day of October in the Year of our Lord 1828 it being the day fixed upon by the Governor Proclamation bearing date the day of for a Called Session of the General Assembly

The following Members of the Legislative Council Appeared and took there Seats Viz

From the County of Arkansas Terrance Farrelly
From the County of Phillips Edwin T Clark
From the County of Cattenden George C Barfield
From the County of Independence David Ledelfield
From the County of Izard Jacob Woolf
From the County of Conway Wm Ruykendall

The following Gentlemen Produced Certificates of there having been duly Elected Members of the Legislative Council at a Special Election held in there Respective Counties on the first Monday of August last took the Oath of Office Required by Law And thereupon took there Seats

To Wit

From the County of Crawford Robert Burton
From the County of Miller John Dunlap
From the County of Hempstead William P Hickman
From the County of Pulaski John D Cooke

A Quorum of Members being Present Allen W Bates The Enrolling and Engrossing Clerk was Called to the Chair and having Called the house to Order Proceeded to ballot for a President and on Counting the ballots the following was found to be the Result. For Edwin T Clark 6 Votes for Terence Farrelly 2 Votes for Jacob Woolf 2 Votes

Whereupon Edwin T Clark from the County of Phillips having a Majority of the Whole Number of Votes was declared duly Elected President of the Legislative Council and took his Seat Accordingly

The Council then Proceeded to ballot for a Secretary and on Counting the ballots there appeared for Charles Caldwell 7 Votes for Wm T Ledelfield 2 Votes

Chas Caldwell having Received a Majority of the Votes was declared duly Elected And was Qualified and

And Proceed to the discharge of the duties of his Office.

A Message from the house of Representatives by Mr Henderson

Mr President

I am directed to inform this House that a Quorum of the house of Representatives has Assembled and that it has Elected John Wilson the Representative from the County of Hampstead Speaker and Daniel Ringo Clerk and that it is now ready to Proceed to business

And that William Montgomery and John Ringold are Appointed a Committee to Join such Committee as has been or may be appointed on the Part of this house to wait on the Governor and inform him that the General Assembly is Organized and ready to receive any Communications he may Please to Make. And then he withdrew

Ordered that Mr Litchfield inform the house of Representatives that the Legislative Council is Organized in like Manner and ready to Cooperate with them in any Legislative duties

Ordered that Terence Farelly and [illegible] Barfield be Appointed a Committee on the Part of the Legislative Council to Act in Concert with the Committee on the Part of the House of Representatives to wait on the Governor And to receive any Communications he may Please to Make

On Motion of Mr Farelly it is Ordered that 10 Oclock in the forenoon be the hour for the Meeting of the Legislative Council

And Then The Legislative Council adjourned

Tuesday 7th October 1828

The Legislative Council Met Pursuant to adjournment
The President took his Seat and Called the House to Order

Mr Barfield from the Committee appointed to wait on the Governor Reported that they had discharged that duty and that the Governor would Make to the General Assembly a Communication in writing at 10 Oclock this day

Ordered that a Committee of Privileges and Elections be appointed, and thereupon a Committee was appointed to wit Messrs Hutchman. Burton. Cooke and Kuykendall

Ordered that a Committee of Ways and Means be appointed and thereupon a Committee was appointed to wit Messrs Wolf. Litchfield Kuykendall & Burton

Ordered that a Committee on the Judiciary be appointed and thereupon a Committee was appointed to wit Messrs Barfield Fanally & Hutchman &c

Ordered that a Committee on Manuals be appointed and thereupon a Committee was appointed to wit Messrs Cooke Barfield Wolf & Fanally

Ordered that a Committee to Examin the Books of the Auditor and Treasurer be appointed and thereupon a Committee was appointed to wit Messrs Fanally Cook & Dunlop

Ordered that a Committee of enrolments be appointed and a Committee was appointed to wit
Messrs Litchfield Barfield and Dunlop

Ordered that a Committee on the Militia be appointed and a Committee was appointed to wit
Messrs Dunlop Hutchman & Wolf

A Message from the House of Representatives by Mr Rengold Sgt President

I am directed to inform this House that their Attendance at the Legislative Hall is respectfully Requested at the hour of Half Past Ten Oclock in the forenoon of this day To hear Such Communication as the Governor may Make To the General Assembly.

and then he withdrew

On Motion of Mr Fanally. The Council Repaired to the Hall of the House of Representatives. Whom the following Message was Presented To both Houses by Mr Smith the Private Secretary of the Governor. And was Read by

Mr Rengo the Clerk of the House of Representatives brg Message

To the Members of the Legislature Council and of the House of Representatives Composing the General Assembly of the Territory of Arkansa

Fellow Citizens. The act relative to the Organization of our Supreme Court, Past at the last Session of Congress and the Treaty with the Cherokee Indians Ratified on the 23 day of May last by which they Ceded the lands Here and Lately in their Possession within this Territory, and Received in exchange a Large tract of Country West of our Late boundary Line as Well as a Considerable Portion of the Country Later of at your last Session under the Name of Lovely Rendered it indispensable that your Should be Summoned to an Extra Session,

The Western boundary of our Territory in lieu the above Mentioned Treaty So altered as to leave the Cherokee and Chickasaw Settlements entirely out of our Limits, It is Probable that in a few Months the Tribute Population Place in Lovely County Will under the Liberal Provision Made for their Indemnification Have Removed into the Newly acquired District And it Will therefore become Necessary to Organize the Latter in the Manner Pointed Provided by the Constitution, A New arrangement of the Circuits is also Called for by the Existing State of Things

To these two important Subjects I invite your Prompt and Earnest Attention

Geo Izard

Little Rock A.T. 7th Oct 1828

The Legislative Council Then Retired to their Chamber

On Motion of Mr Barfield

Ordered That the Committee of Ways and Means be instructed to Procure Such Stationary as May be deemed Necessary for the use of the Legislative Council during the Present Session.

On Motion of Mr Barfield

Ordered That the Rules of the Legislative Council at the last Session be adopted for the Government of the Same during the Present Session and that 20 Copies be Printed for the use of the Council

Mr Farelly offered the following Resolution which was Read and adopted

Resolved That a Joint Committee be appointed To Examine a Certain Bond or Compact entered into between the Proprietors of the Town of Little Rock and the General Assembly of this Territory To furnish a house for the Accommodation of the General Assembly and Report to both Houses whether or not in their Opinion that by Said instrument Said Proprietors are Compelled by Law To Pay for the Rooms they have now occupying

Whereupon Messrs Barfield Litchfield and Cocke were appointed Said Committee

And Then The Council Adjourned

Wednesday 8th October 1828

The Council met Pursuant To adjournment

Isaac Pennington a Member of the Legislative Council from The County of Clark appeared and Took his Seat.

Ordered that Mr Pennington be added To the following Standing Committees To wit, To the Committee on the Judiciary and To the Committee on the Militia

On Motion of Mr Barfield It is ordered that Messrs Barfield Litchfield & Pennington be appointed a Committee to Examine The Revenue Laws of this Territory with leave to Report by bill or otherwise.

Mr Wolf gave Notice that he would ask leave Tomorrow To introduce a bill to Extend the bounds of Izard County on the South Side of White River

Mr Burton gave Notice that he would ask leave Tomorrow To introduce a Bill allowing Compensation to Grand Jurors

Mr Kuykendall gave Notice that he would ask leave Tomorrow To introduce a bill to attach a Part of the late Cherokee lands to the County of Conway

Mr Barfield gave Notice that he would ask leave Tomorrow to introduce a bill to be entitled an Act Supplementary To the Several Acts providing for the Collection of Small Debts

A Message from the House of Representatives by Mr Johnson

Mr President

I am directed To inform this House that the House of Representatives Concurred in the Resolution to Appoint a Committee To Join Such Committee as the

Been appointed on the Part on the Part of this house To Examen a Certain Bond or agreement entered into between the Proprietors of the Town of Little Rock and the General Assembly of this Territory Relative to furnishing a House for the Reception and accommodation of the General Assembly and that they have appointed Messrs Rengold and Henderson that Committee and then he withdrew

Mr Wickman gave Notice That on Tomorrow he would ask leave to introduce a bill to attach a Part of Hempstead County to the Resedue of that Part Miller County east of the Chachlan Boundery or Present Western Boundary of this Territory

Mr Barfield gave Notice that on Friday Next he would ask leave to introduce a bill for the Relief of Proprietors of Towns and lot holders in any of the Towns in this Territory

A Message from the House of Representatives by Mr Hickstreth

Mr President

I am directed to inform this house that Bills of the following titles have this day been introduced into the house of Representatives To Wit

1st A Bill to be entitled an act to establish a Part of the Land acquired from the Cherokee Nation of Indians To the County of Crawford

2 A Bill to be entitled an act to establish the County of Dardenelle

3 A Bill to erect and establish the County of Washington

4 A Bill to be entitled an Act Supplementary to an act passed at the last Session of the General Assembly entitled an act to locate the Seat of Justice for the County of St Francis

5 A Bill to be entitled an act Tumporally to Locate the Seat of Justice for the County of Lawrence

A Message from the House of Representatives by Mr Clark

Mr President

I am directed to inform this house

A Message from the House of Representatives
By Mr Henderson
Mr President

I am directed to inform this House that the House of Representatives Do Not a Bill to be entitled an act Regulating the Manner that Judgements Shall be Confest, And also that the House of Representatives have adopted a Resolution That no Bill Shall be introduced into either of the Houses of the General Assembly after the 13th day of this Sest and that they Request the Concurrence of the Council thereto.

Mr Barfield offered the following Resolution which was twice Read and adopted
1. Resolved That So much of the Governors Message as Relates to the Newly acquired Country from the Cherokee be Referd be Committed to the Committee of Memorials
2d Resolved That So much of the Governors Message as Relates to the Judiciary be Referd to the Committee on the Judiciary

Mr Fennelly offered the following Preamble and Resolution
Whereas by an act of Congress Approved the 17th day of April 1828 entitled an act providing for the Appointment of an additional Judge to the Superior Court of Arkansa Territory and for other Purposes, Power is given to the General Assembly to organize the Territory into four Judicial Districts & Circuits And to Assign to the Judges of the Superior Court each one of Said Districts and to Require them to Hold Circuit Court Thereon &, Therefore
1st Resolved that this Legislature deem it expedient under the Provisions of Said Act. That a Judicial System for Said Territory Should be formed on the Bases To wit
1 That the Superiour Court of this Territory Should be in all Civil Cases at Law Exclusively an Appellate Tribunal and Not to have Original Jurisdiction in any Civil Case except Such Cases as the United States May be Party to

2 That there shall be established in each County
established a Court of Pleas and Quarter Sessions in the Territory
which Respective Courts shall have Jurisdiction in all Civil Cases
of $100 and upwards in Law and Equity and Exclusive Jurisdiction
Upon the Decision of Matters of Fact and Concurrent Jurisdiction
with the Superior Courts of all Criminal Cases
within their respective Counties, And that the
Present Counties be Established into Circuits
Nothing of the Judges of Said Courts shall Preside in
his Respective Circuit, Which Shall Hold three Terms Annually
Terms of Said Courts in each County, of Which Respective
Courts
3 That there Shall be established in each County
a Court to be Known by the Name and Stile of
the County a Orphans Court, Who Shall have
the Same Jurisdiction in all Local Matters that
is now held by the Present Court Northern Shall
Respective Counties. Said Courts to be
Composed of three Judges to be appointed
by the Governor and to Receive a Per Diem
Pay and to Hold 4 Terms Annually in
Their Respective Counties

On Motion of Mr Barfield. The Resolution was
Laid on the Table

And then the Council adjourned

Thursday 4th October 1828

The Council met Pursuant to adjournment
Mr Barfield from the Select Committee Appointed to
to Examin the Revised Laws of the Territory
Reported a bill for that Purpose which was Read the first
Time and the Rules of the House being dispenced
with it was Read a Second time and Committed
To a Committee of the whole House and Made the
Order of the day for Tomorrow.

According to Notice Previously Given Mr Kuykendall
Reported a bill to attach a part of the Country
Recently acquired from the Cherokee Indians
to the County of Conway which was Read

The first time. And on Motion of Mr Knighton the Rules of the House was dispensed with and the bill was Read the Second Time and Committed to a Committee of the whole House and Made the Order of the day for Tomorrow

Mr Burton According to Previous Notice Previously given Introduced a bill giving Compensation to Grand Jurors. Which was Read the first time and ordered to a Second Reading

Mr Barfield According to Notice Previously given Reported a bill to be intitled an act Supplementary to the several acts providing for the Collection of Small debts which was Read the first time and ordered to a Second Reading

Mr Wolf from the Select Committee appointed for that Purpose Reported a bill entitled an Act to establish the Boundary line of Iredell and Independence Counties which Read the first time and ordered to a Second Reading

A Message from the House of Representatives by Mr Montgomery.

Mr President

I am directed to inform this House that Mr Henderson The Chairman of the Committee of Ways and Means to whome was Referd the Resolution of the Legislature Concerning of the House of Representatives if they had any Knowledge of what has become of the furniture of the Furniture of the Council Chamber left in the Care of the Late Col A Lytle Late Speaker of the House of Representatives have Reported that the furniture left in the Care of Colol Lytle (Or furniture) of the same Kind of that which was Intended to him has been Returned viz five Plain Tables four benches four Pitchers one doz Tumblers. Six waiters and four Sandbox and that the House of Representatives have Concurd with that Report. And then he withdrew

A Message from the House of Representatives by
Mr. Jones
Mr President

I am directed to inform this House that the House of Representatives have passed a bill with the following Title to wit An Act Supplementary to an act passed the Session of 1827 entitled an act to locate the Seat of the County of St Francis, And to request the Concurrence of the Legislative Council thereto

Mr Burton Gave Notice that he would on Tomorrow to introduce a bill to be entitled an Act for the Relief of insolvent Debtors

Mr Roche gave Notice that he would on Tomorrow to introduce a bill giving Jurisdiction to Justices of the Peace for the Trial of Slaves for all Crimes except those of a Capital Nature

On Motion of Mr Farrilly

The Preamble and Resolutions relative to the Judiciary were Taken up and read, Mr Roche Moved to Amend the Same by Striking out the 3 Paragraph Relating to establish County Courts which was agreed to And the Resolution as agreed to was adopted And Sent to the House of Representatives for their Concurrence

And then the Council adjourned

Friday 10th October 1828

The Council met Pursuant to adjournment

On Motion of Mr Burton

The Resolutions from the House of Representatives Limiting the time for Introducing Bills to the 13th Inst was Taken up and adopted

A Message from the House of Representatives By by Mr Dudgeon
Mr President

I am directed to inform this House that the House of Representatives has Past a bill entitled an act Permanently to locate the Seat of Justice for the County of Lawrence which was

Bills ... and Read ... the ... time ... Ordered to a Second Reading

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On Motion of Mr. ...
Ordered that ... Supplemental to an act ... General Assembly entitled an act to ... to the County of St. ... Rules of the House being ... Bill ... a Second Time and ... the order of the day for ...

Mr. Dunlap gave Notice ... Next he would ask leave to introduce ... entitled an act Regulating the Payment ... Prosecutions in Cases ... Capital ...

A Message from the House ... by Mr. Beers
Mr. President

I am directed ... to ... have that Bill of the ... been introduced into the House ... 1st A Bill entitled an act ... to an act To fix Permanently the ... the County of Hempstead and for ... 2 A Bill entitled an act ... act entitled an act Permanently ... the Seat of Justice for the County ... 3d A Bill entitled an act ... to an act past at the Session ... entitled an act Supplementary to the ... Expediency the fiscal Concerns of the ... 4th A Bill To be entitled ... act and Establish the County of ... which were Severally taken up and Read the first Time and ordered to a Second Reading

The following Bills were Taken up and Read the Second Time. To wit

1st A Bill entitled an Act Supplementary to the Criminal Laws of this Territory

2d A Bill to be entitled an Act allowing Compensation to Grand Jurors

3d A Bill entitled an Act Supplementary to Supplementary to the Several Acts Providing for the Collection of Small debts, which were Severally Committed to a Committee of the Whole House and Made the Order of the Day for Saturday Next

On Motion of Mr Farnsley The House Resolved itself into a Committy of the Whole, Mr Letcher in the Chair on a Bill to be entitled An Act establishing Boundary of Iowa and Independence Counties, and a bill to be entitled an Act Attaching a Part of the County Recently acquired from the Cherokee Indians to the County of Conway and after Some Short Time Rose Reported Progress and Asked Leave to Sit again

A Message from the House of Representatives by Mr Clark

Mr President

I am directed to inform this House that the House of Representatives have Concurred in the Addoption of the Preamble and Resolution from this House on the Subject of the Judiciary without Amendment

The following bills were Announced By Mr Barfield

1st A Bill entitled an Act for the Collection of Constables

2 A Bill entitled an act for the Relief of the Proprietors of Towns and Lott Holders in any of the Towns of this Territory, which were Severally Read the first time and ordered to a Second Reading

Mr Burton Introduced a Bill entitled an act for the Relief of Insolvent debtors, Which was Read the first time and ordered to a Second Reading

On Motion of Mr Barfield the Council Resolved itself into a Committee of the Whole Mr Pennington in the Chair, On the Bill to be entitled an act Supplementary to an act Passed at the Session of 1827 entitled an act to Locate the Seat of Justice for the County of St Francis And after Some time Spent therein Rose Reported Progress and asked leave to Sit again

And then the Council adjourned

Saturday 11th October 1828

The Council met Pursuant to adjournment

Mr Fanelly from the Committee of the Judiciary Reported a Bill to be entitled an act forming a Judicial System for the Territory of Arkansas, Which Bill was Read the first time and the Rules of the House being suspended with was Read a Second time And on Motion of Mr Fanelly Committed To a Committee of the whole House and Made the order of the day for Monday Next And that forty Copies are ordered to be Printed for the use of the Members

Mr Dunlap gave Notice that on Monday Next he would ask leave to introduce a bill to be entitled an act to Change the location of the Seat of Justice of the County of Miller

Mr Dunlap gave Notice that on Monday Next he would Ask leave to introduce a bill entitled an act To Regulate the Payment of Costs in Matters of a Civil Nature before Justices of the

Mr Cocke gave Notice that on Monday Next he would ask leave to introduce a bill entitled an act further To Regulate the Town of Little Rock

Mr Wolf gave Notice that he would ask Leave on Monday Next to introduce a Bill entitled an act for the Relief of Izard County

Mr Farrelly gave Notice that on Monday Next he would ask Leave to Introduce the following Bills, Viz
1st A Bill to be entitled an Act depening the Jurisdiction of Courts in the 4th Judicial Circuit
2 A Bill to be entitled an Act for the benifit of the Widowe and Heirs of Charles Pelmont.

The following Bills were taken up and Read the Second Time Viz
1st A Bill to be entitled an Act for the Relief of the Proprietas of Towns and the holders of Townlots in any of the Towns of this Territory
2d A Bill to be entitled an act to locate the Seat of Justice for the County of Laurance
3d A Bill to be entitled an Act for the Election of Constables
And on Motion of Mr Barfield they Committed to a Committee of the Whole House and Made the Order of the day for Monday Next

On Motion of Mr Barfield The Council Resolved itself into a Committee of the Whole Mr Lobdell in the Chair on the Bill to be entitled an Act Supplementary to the Several laws providing for the Collection of Small Debts And after having Spent Sometime therein Reported the Same with Amendment which Amendment was agreed to And the bill was ordered to be Read a third time on its final passage on Monday Next

On Motion of Mr Farrelly, The Council Resolved itself into a Committee of the Whole Mr Wolf in the Chair on the Bill entitled an Act Supplementary to an Act Past at the last Session of the General Assembly entitled an Act to locate the Seat of Justice for the County of St Francis, And having Spent Some time therein Reported the Same with an Amendment which Amendment was agreed to And the bill Ordered to be engrossed and Read a third time on Tuesday Next

On Motion of Mr Farrelly The Council Resolved itself into a Committee of the Whole Mr Coche in the Chair on the Bill entitled an Act Allowing Compensation to Grand Jurors, And having Spent Some time thereon Reported the Bill with an Amendment by Striking out the first Section with the enacting Clause, which Amendment was agreed to and the Bill Ejected

On Motion of Mr Barfield The Council Resolved itself into a Committee of the Whole, Mr Mosely in the Chair on the Bill to be entitled an Act Supplementary to an Act Supplementary to an Act Relative to the Revenue Laws of this Territory And having Spent Some time thereon Reported the Same with an Amendment which was agreed to. And the Bill was Ordered to be Read a third time Tomorrow on Tuesday Next.

The following Bills were introduced Read the first time and the Rule of the House being dispensed with they were Read the Second time And Committed to a Committee of the Whole House and Made the Order of the day for Monday Next To wit

1st A Bill to be entitled an Act for the Relief of Insolvent Debtors

2d A Bill entitled an Act further defining the duties and Jurisdiction of Justices of the Peace

A Message from the House of Representatives by Mr Henderson Mr President I am instructed to inform this House that the House of Representatives have past the following Bills, To wit

A Bill to be entitled an Act to lay off and erect a new County in the Northwest part of this Territory to be Called and Known by the Name of Washington

A Bill entitled an Act defining the boundary line between the Counties of Conway and Pulaski

A Bill to be entitled an Act Regulating the Manner in which Judgements Shall be Carried

A Bill to be entitled an act to attach a Part of the Lands Acquired from the Cherokee Nation of Indians to the County of Crawford, which was severally read the first time and ordered to a Second Reading

And then the Council adjourned

Monday 6th October 1828

The Council met Pursuant to adjournment

Mr Farnsley from the Committee on the Judiciary reported a Bill to be entitled an act for Amendment to an Act entitled, an Act Preventing Constable from Selling Negroe Slaves under execution and for other purposes Past at the Session of 1827 which was Read the first time and ordered to a Second Reading

Mr Farnsley Pursuant to Notice Previously given Introduced a bill entitled an Act further Defining the Jurisdiction of the Justices Court in Criminal Cases which was Read the first time and ordered to a Second Reading

Mr Farnsley Pursuant to Notice Previously given introduced a Bill entitled an Act for the Relief of the heirs of Charles Fulmont which was Read the first time and Ordered to a Second Reading

Mr Dunlap Pursuant to Notice Previously given introduced a Bill to be entitled an Act further to Regulate the Payment of Costs in Criminal and Penal Cases which was Read the first time and ordered to a Second Reading

Mr Dunlap Pursuant to Notice Previously given Introduced A Bill to be entitled an Act further to Regulate the Payment of Costs in Studies at a Law Nature before Justices of the Peace which was Read the first time and ordered to a Second Reading

Mr. Daly Pursuant to Notice Previously given introduced a Bill to be entitled an Act for the Relief of the County of Izard which was Read a first time and ordered to a Second Reading.

Mr. Knickendall Pursuant to Notice Previously given introduced a bill to be entitled an Act Supplementary to an Act to locate the Seat of Justice in Kenway County which was Read the first time and ordered to a Second Reading

Mr. Cocke Pursuant to Notice Previously given introduced a Bill to be entitled an Act further Amending an act for the Regulation of the Town of Little Rock and for other Purposes which was Read a first time and Ordered to a Second Reading

The Bill to Attach a Part of the Lands Acquired from the Cherokee Nation of Indians to the County of Carroll was Read a Second time and on Motion of Mr. Barfield was Committed to a Committee of the Whole House and Made the order of the day for Wednesday Next.

A Message from the House of Representatives By Mr. Johnson

Mr. President

I am instructed to inform this House that The House of Representatives have Past a bill of the following title to wit An act to erect and establish the County of Sevier which is herewith Sent for your Concurrance

Ordered to be Returned

A Message from the House of Representatives by Mr. Elam

Mr. President I am directed to inform this House that

Two Bills of the following titles
That the house of Representatives have been informed
into the house of Representatives to wit A Bill entitled an
act Allowing Compensation to Members of the
Present General Assembly and to its officers
2d A Bill entitled an act for Regulating the Laws of Arkansa
Territory And also that the house of Representatives have
Passed the following bills to wit An Act Permanantly
to locate the Seat of Justice of the County of Lehcot
which is herewith sent for your Concurrance and
then he withdrew

The Bill from the House of Representatives entitled an act to
Lay off and Create a New County in the North west
part of this Territory to be called and known by the
Name of Washington was Read a Second time and
on Motion of Mr Bruton was Committed to a
Committee of the Whole House and Made the order
of the day for to morrow

The Bill from the House of Representatives entitled
An act defining the Boundary line between the
Counties of Conway and Pulaski was Read a Second
time and on Motion of Mr Hanly was Committed
To the Same Committee To which a Bill to be
entitled an act establishing the boundary line between
Independence and Izard Counties and a bill
to be entitled an act to add a part of the Cherokee
Lands to Lawrence County Have been Committed and
Made the Order of the day

A Bill entitled an Act further defining the duties and
Jurisdiction of Justices of the Peace was Read the Second
time and on Motion of Mr Cooke Committed to a
Committee of the whole and Made the order of the
day for Wednesday Next

The Bill to be entitled an act Supplementary to an act
entitled an act
Supplementary permanantly to locate the Seat of
Justice in the County of Clark Approved the
23d October 1827 was Read a Second time and

On Motion of Mr Farnsby was Committed to a Committee of the Whole and Made the order of the day on Wednesday next

The Bill from the house of Representatives to be entitled an Act Permanently to locate the Seat of Justice in the County of Detroit was Read a first time and ordered to a Second Reading.

The Bill from the H of Representatives to erect and establish the County of Seven was Read the first time and on Motion of Mr Hickman the Rules of the house being dispensed with was Read a Second time and on Motion of Mr Farnsby was Ordered to be Read a third time on Tomorrow.

A Bill to be entitled an Act supplementary to the several Acts Providing for the the Collection of Small debts was on Motion of Mr Benfield taken up Read a first third time and Passed

On Motion of Mr Farnsby the Orders of the day Relative to the bills establishing the boundary line of Izard and Independence Counties and attaching a Part of the Cherokee lands to the County of Lawrence Postponed until Tomorrow

On Motion of Mr Benfield the Council Resolved itself into Committee of the Whole Mr Ledbetter in the Chair on the bill Providing for the election of Constables and after Some time Spent thereon the Committee rose Reported the Bill with an Amendment and on Motion of Mr Benfield the house Concured in the report of the Committee whereupon the bill was Ordered to a third Reading on its final passage on Tomorrow

A Message from the house of Representatives By Mr Reynolds Mr President I am instructed to inform this house that that the house of Representatives have passed bills of the following titles viz, an act supplementary to an act to fix permanently the seat of justice in and for the County of Hempstead and for other purposes. and an act supplementary to an act passed at the Session of 1827 entitled an act supplementary to the several

laws regulating the fiscal concerns of this Territory, which said bills are here with sent for your concurrance — and the Bills were severally read a first time and ordered to a second and third reading

Message from the House of Representatives, by Mr — Ringold — Mr President I am directed to inform this house that the House of Representatives have passed the following bills. Towit, an act regulating the Commissions of Justices of the peace. and thereto with drew whereupon the bill was read a first time and ordered to a second reading

On motion of Mr Wolf the petition of sundry citizens of Izard County was taken up read and committed to the Committee of Memorials — Mr Litchfield presented a petition from a number of the Citizens of Izard County praying to be attached to Independance County which was committed to the Committee to which the bill establishing the line between Izard and Independance Counties had been committed

On motion of Mr Farrelly the house resolved its self into Committee of the whole Mr Barfield in the Chair on the bill for the relief of insolvent debtors —

Mr Farrelly moved to amend by striking out the first section with the enacting clause which motion was agreed to, whereupon the Committee rose reported the bill as amended and the house concured in the report of the Committee

On motion of Mr Farrelly the house resolved its self into Committee of the whole Mr Dunbop in the Chair on the bill establishing a judicial system for the Territory of Arkansas, and after some time spent thereon the Committee rose reported progress and asked leave to sit again on to morrow, and on motion leave was granted

Message from the House of Representatives —

By Mr Johnston, Mr President I am instructed to inform this house that bills of the following titles have been introduced into the house of Representatives towit, a bill entitled an act to locate the seat of justice in the County of Sevier and for other purposes — A Bill entitled an act to prevent the wearing concealed arms, a bill entitled an act supplementary to the several laws concerning roads, a bill entitled an act relative to gin holders, and a bill entitled an act for the relief of J. M. Harding

And then the Council adjourned

Tuesday October 14th 1828

The council met pursuant to adjournment.

Mr Litchfield from the committee of Ways and means reported a Bill to be entitled an act making appropriations for the year 1828 which was read a first time and ordered to a second reading.

Mr Barfield from the committee on Memorials made the following report

The Committee on Memorials to whom was referred so much of the Governors Message as relates to the Lands recently acquired from the Cherokee Indians have had the subject under consideration, and beg leave to report that they have come to the conclusion that it is unnecessary to memorialize Congress for the purpose of having that tract of country surveyed as much as by the existing laws the President of the United States is fully authorised to have said Lands surveyed and your Committee do not hesitate in believeing that he will perform that duty without a memorial and your Committee beg leave to be discharged from any further consideration of the subject

The Bill to be entitled an act in amendment to an act entitled an act preventing Constables from selling negroe slaves under execution and for other purposes passed at the Session of 1827 was read a second time and on Motion of Mr Farrelly was committed to Committee of the whole and made the order of the day on thursday

The Bill entitled an act further defining

the jurisdiction of justices of the peace in criminal cases was read a second time and on Motion of Mr Farrelly committed to committee of the whole and made the order of day on Thursday.

The bill for the relief of the heirs of Carlos Billemont was read a second time and on motion of Mr Farrelly was referred to select Committee and Mr Farrelly and Mr Hickman were appointed that Committee

The Bill to be entitled an act further to regulate the payment of cost in civil cases was read a second time and committed to committee of the whole and made the order of the day on thursday.

The Bill to be entitled an act further to regulate the payment of costs in criminal and penal cases was read a second time committed to committee of the whole and made the order of the on thursday.

The Bill to be entitled an act to change the location of the seat of justice in Miller County was a second time and on motion of Mr Dunlap was ordered to be engrossed and read a third time tomorrow.

The Bill to be entitled an act supplementary to an act to locate the seat of justice in the County of [redacted] was read a second time and on Motion of Mr Kuykendal was ~~read a second time~~ ordered to be engrossed and read a third time tomorrow.

The Bill to be entitled an act for the relief of Izard County was read a second time committed to committee of the whole and made the order of the day on wednesday.

The Bill to be entitled an act supplementary to an act to fix permanently the seats of Justice in and for the County of Hempstead and for other purposes from the house of Representatives was read a second time and ordered to a third reading on wednesday.

The Bill to be entitled an act supplementary to an act passed at the session of 1824 entitled an act supplementary to the several laws regulating the pleas concerns of this Territory from the house of Representatives was read a second time and on motion of Mr Farrelly to reject the yeas and nays were called for and were as follows:

Yeas. Messrs Cocke Farrelly Hickman Lewis Pleasant Pennington Wolf and the President 7.

Nays Messrs Barfield Burton, Cearle and Duncan. 4 and the bill was rejected

The bill to be entitled an act regulating the commissions of justices of the peace from the house of Representatives was read a second time and committed to committee of the whole and made the order of the day on thursday.

The Bill to be entitled an act permanently to locate the seat of justice in the County of Chicot from the House of Representatives was read a second time and committed to committee of the whole and made the order of the day on thursday.

Message from the House of Representatives by Mr Beam Mr President I am directed to inform this house that the

House of Representatives have passed a Bill entitled an act transferring the records and suits remaining in the Circuit Court of Lonely County to the Circuit Court of the County of Washington and for other purposes and to appoint Commissioners to locate the seat of Justice for Washington County which is herewith sent for your concurrence and then be withdrawn.

The Bill to be entitled an act for the regulation of the town of Little Rock and for other purposes was read a second time and on motion of Mr Cocke was committed to Committee of the whole and made the order of the day on Thursday.

A Message from the House of Representatives by Mr Hadfield Mr President I am directed to inform this House that the House of Representatives have adopted a resolution disagreeing to the order of the Legislative Council rescinding the joint resolutions of both Houses. That no bills shall be introduced into either House after the 13th inst and then be withdrawn.

On Motion of Mr Farnelly the House resolved itself into Committee of the whole Mr Hickman in the Chair on the bill to be entitled an act supplementary to an act entitled an act supplementary to the

and after some time spent therein rose reported the bill with amendments and on Motion of Mr Banfield the House concurred in the report of the committee whereupon the bill was ordered to be engrossed and read a third time on Wednesday.

On motion of Mr Gazzelly
the House resolved itself into com-
mittee of the whole on the Bill for the re
lief of the proprietors of towns and
lotholders in any of the towns of
this Territory and after some time
spent thereon rose reported
the bill with amendments when on
motion to concur the house dis-
agreed to concur in the report and
the bill was rejected

On motion of Mr Gazzelly the Bill
establishing the County of Benton was read
a third time on its final passage
and passed

On motion of Mr Gazzelly the
house resolved itself into Committee
of the whole on the Bill to lay off
and direct the county of Washington
and after some time spent thereon
rose reported the bill without amend
ments when on motion the bill
was read a third time and passed

The bill to be entitled an act sup
plementary to an act passed at the
last session of the general assembly
entitled an act to locate the seat of jus
tice of the county of St Francis was read
a third time and passed

The bill providing for the election of
Constables was on Motion of Mr Barfield
read a third time and passed

A Message from the House of Representatives by
Mr Blair

Mr President I am directed to inform

Whereupon the House of Representatives have adopted the following Resolution

Be it Resolved by the General Assembly of the Territory of Arkansa that the frequent & unprecedented depredations committed by Indians on the Inhabitants on the South west frontier of this Territory calls loudly on the General Government to afford to the Citizens of that portion and of the County of Miller more adequate and effectual protection. Be it further resolved that the Governor of this Territory be requested to transmit a copy of the foregoing Resolution to the Secretary at war of the United States

On motion of Mr Farely the council resolved itself into a committee of the whole Mr Dunlop in the Chair on the bill to be entitled an act forming a judicial system for the Territory of Arkansas and after some time Spent thereon rose & reported progress and asked leave to sit again on tomorrow when on motion of Mr Farely leave was granted and the house adjourned

On motion of Mr Farely the bill entitled an act establishing the County of Sevier was taken up and read a third time and passed

On motion of Mr Farely the Council resolved itself into a committee of the whole on the bill entitled an act creating the County of Washington and having Spent some time thereon reported the same without amendments and the bill was read a third time and passed

On motion of Mr Barfield the bill entitled an act supplementary to an act passed at the Session of 1827 entitled an act to locate the seat of Justice in the County of St Francis was taken up and read a third time and passed

And then the Council adjourned

Wednesday - 15th Oct 1828

The Council met pursuant to adjournment

Mr Farley from the Select committee to whom was refered the bill entitled an act for the relief of the heirs of Carlos Villemont reported the same with amendments which amendment was concured with — whereupon on motion of Mr Farley it was ordered that the said bill be engrossed and read a third time tomorrow

On motion of Mr Farley the Council resolved its self into Committee of the whole Mr Dunlop in the Chair on the bill forming a Judiciar system for the Territory of Arkansas and after some time spent thereon the committee rose reported progress and asked leave to sit again on tomorrow which was agreed to

A message from the House of representatives by Mr Rungold

Mr President, I am instructed to inform you that the house of representatives have passed a bill entitled an act for the relief of J M Spalding & for other purposes.

The House of Representatives have concured with the Legislative Council in the passage of a bill to be entitled an act supplimentary to the several laws providing for the collection of small debts with an amendment, and ask your concurrance therein

And then the council adjourned

Thursday - October the 16th 1828

The Legislative Council met pursuant to adjournment

Mr Barfield from the select committee to whom was refered the examination of the bond of Amos Wheeler & others made the following report to wit —

The Select committee appointed to examine a certain bond or compact entered into between Amos Wheeler Christy Ashley Stephen F Austin, Richard Searcy and Edward McDaniel proprietors of the Town of Little Rock, and the General Assembly of the Territory of Arkansas, for the purpose of

of ascertaining whether or not the said proprietors could be compelled by law to make such repairs to the State-House as may be deemed necessary for the convenience of the General Assembly of this Territory beg leave to report that they have performed the duties assigned them, and examining the said bond and other papers accompanying it find that the aforesaid proprietors of the Town of Little-Rock were bound to furnish a house for the use of the General Assembly of the Territory and keep it in good repair and for the term of three years from the time it was erected which term of time has expired some time since, Consiquently the said proprietors of the Town of Little Rock are released from any further obligation relative thereto, Your committee further beg leave to recommend an appropriation by the General Assembly of this Territory for the purpose of having the aforesaid repairs made

On motion of Mr Farrelly the Committee resolved itself into committee of the whole Mr Dunlop in the Chair on the bill entitled an act forming a Judicial System for the Territory of Arkansas and after considering the same the committee rose and reported the bill with amendments which amendments were agreed to by the committee

Mr Farrelly moved to amend the bill by inserting in the 12th section after the word "interested" the following, or are related to either party — The yeas and nays being called for were as follows - Yeas, Messrs Farrelly, McKinney, Litchfield, Pennington and Woolf 5 — nays Messrs, Barfield, Burton, Cocke, Dunlop, Kuykendall and the President 6

And on motion of Mr Farrelly it is ordered that the the said bill be engrossed and read a third time to morrow

Mr Barfield from the joint committee to whom was referred the enrolled [illegible] reported that the committee had examined enrolled bills of the following titles, viz: an act supplementary to an act passed at the session of 1827 entitled an act to locate the seat of Justice of the County of St Francis an act to lay off and erect a new County in the north-west part of the Territory of Arkansas to be called and known by the name of Washington, and an act to

erect and establish the County of Sevier; and found the same to be truly enrolled - when the President of the Legislative Council signed the said bills.

On motion of Mr Farrelly the bill entitled an act supplementary to an act supplementary to the revenue laws was taken up and passed - the yeas and nays being desired - those who voted in the affirmative are - Mr Barfield, Cocke, Farrelly, Heckman Kuykendall & Mr President - those who voted in the negative Mr Burton Litchfield Pennington and Wolf

On motion, the bill entitled an act to locate the seat of justice in the County of Conway was taken up read a third time and passed

On motion of Mr Farrely the bill from the House to be entitled an act supplementary to an act to fix permanantly the seat of justice in Hempstead County and for other purposes was read a third time and passed

on motion the bill to be entitled an act to change the location of the seat of justice in Miller County was read a third time and passed - ordered that the title thereof be as aforesaid, and that Mr Cocke carry the said bill to the House of Representatives and request their concurance therein -

On motion of Mr Farrelly the bill to be entitled an act for the relief of the heirs of Carlos Dellemont, was read a third time and passed - ordered that the title thereof be as aforesaid, and that Mr Cocke carry the said bill to to the House of Representatives and ask their concurance therein

A Bill from the House of Representatives entitled an act ~~to~~ transfering the records and suits remaining in the Circuit court of Lovely County to the Circuit Court of the County of Washington and for other purposes and to appoint commissioners to locate the seat of justice for Washington County was read a first time and ordered to a second

-reading on tomorrow -

A bill from the House of Representatives, entitled "a act to legalise the official acts of J M Spalding and for other purposes, was read a first time and ordered to a second reading on tomorrow

A message from the House of Representatives by Mr Blake informing the Council that the House of Representatives have passed the bill entitled an act to locate the seat of Justice in and for the County of Lenier and for other purposes, and requesting the Concurrence of the Legislative Council therein

On motion of Mr Barfield the Council concurred in the amendments made by the house of representatives to a bill entitled an act supplementary to the several laws regulating small debts

On motion of Mr Farrelly the Council resolved into Committee of the whole Mr Wolf in the Chair, on the bill to locate the seat of justice in the County of Lawrence and after considering the same the committee rose Mr President resumed the Chair and Mr Wolf reported the bill with amendments - and on motion of Mr Farrelly it was read a third time and passed -

And the Council adjourned till 10 o'clock to morrow morning -

Friday October the 19th 1828

The Legislative Councils met pursuant to adjournment

On motion of Mr Farrelly the bill entitled an act forming a Judicial System for the Territory of Arkansas and further regulating the proceedings in Chancery cases was taken up read a third time and passed, ordered that the title of the bill bear afore said and that Mr Bening con carry the same to the House of Representatives and ask there concurance therein.

A message from the House of Representatives, by Mr Henderson informing this House that the house of Representatives have passed the following bills from the Legislative Councils, towit

1st An act to change the location of the seat of justice in the County of Miller.

2nd An act for the relief of the heirs of Carlos Dillemont with out amendment, And that they have rejected the bill entitled an act supplementary to the revenue laws of this Territory

The bill from the house of Representatives entitled an act transferring the records and suits remaining in the circuit Court of Lovely County to the circuit court of the County of Washington and for other purposes and to appoint commissioners to locate the seat of justice for Washington County, was read a third time and passed

On motion of Mr Barfield ordered that the resolution adopted by the house of Representatives on the subject of Indian depredations, committed on the inhabitants on the southwestern frontier of this Territory be concurred in by the Council

On motion of Mr Wolf the Council resolved into committee of the whole, Mr Farrelly in the chair on the bill entitled an act extending the boundaries of Independance and Izard Counties, And the bill entitled an act attaching a part of the Country acquired from the Cherokee Indians to Carroway County, And after some consideration the committee rose reported progress and asked leave to sit again tomorrow

The bill entitled an act making appropriations for the year 1828 was taken up, and on motion of Mr Farrelly was laid on the table -

On motion of Mr Farrelly the Council rescinded the order made to commit the bill defineing the boundary lines ~~made commit the bill~~ between the Counties of Conway and Pulaski to the committee of the whole on the bill attaching part of the County acquired from the Chiro-kees to Independance and Izard Counties,
And on motion of Mr Cocke the bill was taken up read a third time and passed

On motion of Mr Barfield the Council resolved into committee of the whole, Mr Pennington in the Chair on the bill from the House of Representatives entitled an act regulating the manner in which Judgement shall be confessed, and after some consideration the committee rose the president resumed the Chair and Mr Pennington reported the bill with amendments & on motion of Mr Barfield the amendments were adopted and on motion of Mr Wolf the bill was read a third time and passed

On motion of Mr Farrelly the Council resolved into committee of the whole Mr Hickmon in the Chair on the bill from the House of Representatives entitled an act supplementary to an act entitled an act permanently to locate the seat of Justice in the County of Clark, approved octobr the 23rd 1827- and after ~~same~~ considering the same the committee rose and reported the bill with amendments, which amendments were agreed to & and on motion of Mr Farrelly the bill was read a third time and passed

A Message from the House of Representatives by Mr Bean Mr President, I am directed to inform this House that the Speaker of the House of Representatives, has signed the Bills entitled 1st An act supplementary to an act passed at the Session of 1827 entitled an act to locate the seat of Justice of the County of St Francis - 2. An act to erect and establish the County of Sevier, 3. An act to lay off and erect a new County in the north west part of the Territory of Arkansas to be called and known by the name of Washington
And that they have passed the following bills, towit -

An act relative to Gin holders, and also the bill from this House entitled an act providing for the election of Constables, with the same amendments, and to request your concurrence to the two last mentioned bills –

On motion of Mr Cocke it is ordered that the vote previously given on the bill entitled an act supplementary to an act relative to the fiscal concerns of this Territory be reconsidered, and on motion of Mr Barfield recommitted and made the order of the day for tomorrow –

And Council adjourned till 10 oClock tomorrow

Saturday, October the 18th 1828

The Legislative Council met, pursuant to adjournment

Mr Barfield from the Committee on Memorials, reported a memorial to the ~~Senate and House of Representatives~~ Congress of the United States ~~in Congress assembled~~, for the relief of certain inhabitants of Izard County, which was read a first time, and on motion of Mr Barfield the rules of the Council were dispensed with and the memorial read a second and third time and passed –

Yesterday the Council repaired to the House of representatives, when the following message was presented to both houses by Mr Smith the private Secretary to the Governor, (viz)

To the Legislative Council, and House of Representatives, of the Territory of Arkansas.

Fellow Citizens

Your Bills numbered 1. 2 & 3 have each respectively been approved, The only object of your being convened at this time was that you might act without delay on the two subjects submited to you in my message of the 7th instant – Your meeting last autumn was marked by a zealous attention to diminishing the expenses of the Territorial Government; and to that effect several measures of retrenchment were adopted, which though they bore hard on

some branches of the public service, especially the act which abolished the compensation to Grand Jurors yet were cheerfully submitted to by your Constituents, from a sense of the depressed state of our treasury, but I cannot refrain from remarking to you that the unnecessary protraction of your present session or its being engaged in any discussions foreign to the matter which occasioned you to be summoned here will be attended with a much greater expenditure of the public money than any saving produced by the restrictions of 1827

Arkansas Territory
Octr 17th 1828

Geo Izard

On motion of Mr Farrelly the Council resolved into committee of the whole Mr Hickmon in the Chair, on the bill entitled an act extending the boundaries of Independance and Izard Counties, and the bill entitled an act attaching a part of the Country acquired from the Cherokee Indians to Carroway County, and after some time spent therein the committee rose Mr President resumed the Chair, and Mr Hickmon reported the first mentioned bill with amendments, and the second without amendment, which report the Council agreed to, and on motion of Mr Farrelly, ordered that the bill extending the boundaries of Independance and Izard Counties be engrossed and read a third time on monday next. and that the bill attaching a part of the Country acquired from the Cherokee Indians be indefinately postponed—

Mr Barfield from the committee on enrollments made the following report (viz)

Mr President the committee on enrollments beg leave to report that they have examined the following bills which have been duly enrolled (viz) an act for the relief of the heirs of Carlos Billemonte, an act supplementary to the several laws for the collection of small debts, an act to change the location of the seat of justice in the County of Miller, an act permanently to locate the seat of justice for the County of Lawrence and present the same for your signature— which bills were severally signed by the President,

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A Message from the House of Representatives by Mr Montgomery informing the Council that the Speaker of the House of Representatives has signed bills of the following titles (viz)

An act supplementary to the several laws for the collection of small

small debts and to change the location of the seat of Justice in the County of Miller — An act permanently to locate the seat of Justice for the County of Sevier, and for the relief of the heirs of Carrevillement, and also that the House of Representatives have agreed to the amendment from this house to the bill entitled an act regulating the manner in which Judgement shall be confessed —

A Message from the house of Representatives by Mr Hardin —
Informing the Councie that the House of Representatives have passed the bill from the Legislative Councie, entitled, An act supplementary to an act to locate the seat of Justice in the County of Conway, without any amendment — And that they have disagreed to the amendments to the bill entitled an act supplementary to an act entitled an act permanently to locate the seat of Justice in the County of Clark approved October the 23rd 1827

On motion of Mr Barfield the Bill providing for the election of constables was taken up, and the Councie disagreed to the amendments made to the first second and fourth sections of said bill by the House of Representatives

A Message from the House of Representatives by Mr Strong —
Informing this house that the House of Representatives have adopted the following Resolutions —

Resolved That however much this General Assembly may regret that they have not been able to facilitate the great object for which they have been assembled never the less they feel an honest conviction that their best efforts have been exercised to perfect the Judiciary bill and they feel it due to themselves to disagree with a paragraph in the executive message which says: "But I cannot refrain from remarking to you that the unnecessary protraction of your present session, or if being engaged in any discussions foreign to the matter which occasioned you to be summoned," and request your concurrance therein —

On motion of Mr Barfield the Councie adopted the foregoing resolution with an amendment —

The Bill from the House of Representatives entitled an act supplementary to an act entitled an act permanently to locate the seat of Justice of Clark County, approved October the 23rd 1827 was taken up and on motion of Mr Farrelly the Councie adhered to the amendment made by the bill, and disagreed to by the house of Representatives —

The Bill from the House of Representatives entitled an act to locate the seat of justice, in and for the County of Sevier and for other purposes was read a first and second time, and on motion of Mr Farrelly laid on the table

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The Bill from the House of Representatives entitled an act relative to Gin holders, was taken up read a first time and ordered to a second reading on monday next—

The Bill from the House of Representatives entitled an act for the relief of J. M. Spalding and for other purposes, was read a second time, and on motion of Mr Cocke the rules of the house were dispensed with and it was read a third time and passed —

The Council resolved into committee of the whole, Mr Pickett in the Chair on the bill entitled an act further defineing the duties and jurisdiction of justices of the peace, and after some time spent in considering the same, the committee rose and reported the bill with amendments, which amendments were agreed to by the Council and on motion of Mr Cocke it was referred to a select committee consisting of Messrs Cocke and Farrelly

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On motion of Mr Wolf the Council resolved into committee of the whole Mr Pennington in the Chair on the bill to be entitled an act for the relief of Izard County and after some consideration the committee rose reported progress and asked leave to sit again

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On motion of Mr Barfield, It is ordered that a Joint committee be appointed to take into consideration the Governors message of this instant and that Mr Barfield and Cocke be of that committee

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The Bill entitled an act to locate the seat of justice in and for the County of Sevier and for other purposes, was taken up, and on motion of Mr Farrelly was amended by attaching to the said bill a 9th section and on motion the rules of the house were dispensed with and the bill was read a third time and passed

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A message from the house of Representatives by Mr Beaw.
Informing the Council that the house of Representatives have passed the memorial from the Council for relief of certain inhabitants

inhabitants of Izard County without any amendment, and that the Speaker of the House of Representatives has signed bills of the following titles to wit

1. An act regulating the manner in which judgement shall be confessed
2. An act defineing the boundary line between the Counties of Pulaskie and Conway - 3. An act supplementary to an act to fix permanently the seat of justice in and for the County of Hempstead and for other purposes
4. An act transferring the records and suits remaining in the circuit court of Lovely County to the circuit court of the County of Washington & for other purposes, and to appoint commissioners to locate the seat of justice for Washington County

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On motion of Mr Wolf the Council resolved into committee of the whole Mr Pennington in the Chair, on the bill entitled an act for the relief of Izard County and after some time spent in considering thereon the committee rose, and reported the Bill with amendments, which amendments were agreed to by the Council And on motion of Mr Wolf it was ordered that the said bill be engrossed and read a third time on monday next -

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Mr Barfield from the committee on enrollements made the following report Mr President, The committee on enrollements beg leave to report the following bills which have been duly enrolled and examined (viz)
An act supplementary to an act to fix permanently the seat of justice in and for the County of Hempstead and for other purposes.
An act defineing the boundary line between the Counties of Pulaskie and Conway. An act regulating the manner in which judgement shall be confessed. An act transferring the records and suits remaining in the circuit courts of Lovely County to the circuit court of the County of Washington and for other purposes, and to appoint commissioners to locate the seat of justice of Washington County; And procure the same for your signature — The President then signed the said Bills

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Mr Barfield moved the council to take up the bill entitled an act supplementary to an act passed at the session of 1827 entitled an act supplementary to the several laws regulating the fiscal concerns of this Territory, and the yeas and nays being required were as follows (viz)
Yeas. Mr Barfield. Burton. Corke. Dunlop & Mr President. 5
Nays, Mr Farrelly. Hickmon. Kuykendall. Litchfield. Pennington and Wolf 6
So the bill remained on the table.

A message from the house of Representatives by Mr Henderson informing

In forming the Council that the House of Representatives have refused to order the appointment of a committee to join Mr. Barfield and Mr Cook the Committee on the part of the Council to take under consideration the subject contained in the Governors Message received this day.

And that they have passed the bill from the Legislative Council entitled an act forming a Judicial System for the Territory of Arkansas, and further regulating the proceedings in Chancery, with some amendments, and asking the concurrence of the Legislative Council therein

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On motion of Mr Farrelly, The Bill entitled an act forming a Judicial System for the Territory of Arkansas and further regulating the proceedings in Chancery with its amendments was taken up, and on motion of Mr Farrelly, ordered that the amendments disagreed to, and a committee of conferance, be appointed to act in conjunction with such committee as may be appointed by the house of Representatives on the afore said bill. and that Messrs. Barfield Cooke & Farrelly be of that Committee

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And The Council adjourned till 10 o'clock on monday next.

Monday 20th October 1828

The Council met Pursuant to adjournment

Mr Cooke from the Select Committee to whome was Referd the Bill entitled an act further depining the duties and Jurisdiction of Justices of the Peace. Reported the Same with an amendment which amendment was agreed to and the bill Read a third time on its final passage

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On Motion of Mr Barfield the Council Resolved itself into Committee of the whole Mr Litchfield in the Chair on the Bill entitled an act Supplementary to an act past at the Session 1827 entitled an Supplementary to the several laws Regulating the fiscal Concerns of the Territory, and after Some time Spent thereon the Committee rose Reported the Bill with an Amendment

Whereupon the Ayes and Noes being called for on Motion to agree were as follows Ayes Messrs Farrelly Hackman Litchfield Kuykendall Pennington and Gray Barfield Burton Dunlap Cooke and the President.

And the Ayes and Nays were Required Thereon and Are as follows Ayes Messrs Farrelly. Litchfield. Woody Kuykendall. Hackman and Pennington 6 Nays. Messrs Barfield Burton, Dunlap. Cooke. and Mr President 5

On Motion of Mr Woody the Bill for the Relief of Izard County was Taken up and Read the third time on its final Passage, and the Ayes and Nays being Called for Thereon were as follows, Ayes Messrs Barfield Burton Cooke. Dunlap, Hackman Kuykendall Pennington Woody and Mr President 9 Nayes Messrs Farrelly and Litchfield 2 and So the Bill was Passed

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A Message from the House of Representatives by Mr Clerk

Mr President

The House of Representatives have agreed to the Amendments Made to the Bill entitled an act to Locate the Seat of Justice for the County of Sevier and for other Purposes, with an Amendment and ask your Concurrence thereto, Which Amendment was agreed to and ordered to be engrossed and Read a third time Tomorrow

A Message was Received from the Governor announcing that he had Approved and Signed the following bills Passed by the Present General Assembly to Wit

An Act Supplementary to the Several laws for the Collection of Small debts

An Act to change the Location of the Seat of Justice in the County of Miller

An Act for the Relief of the heirs of Carles Belmont

An Act Supplementary to an Act to Permanently The Seat of Justice in and for the County of Hempstead and for other purposes

An Act Regulating the Manner in which Judgements Shall be Confest

An Act defineing the boundary Line between the Counties of Pulaski and Conway

An Act Permanently to Locate the Seat of Justice for the County of Lawrence

An Act transfering the Records and Suits Remaining in the Circuit Courts of Lovely County to the Counties of Washington and for other Purposes And to appoint Commissioners to Locate the Seat of Justice for the County of Washington

The Bill for the Relief of the Proprietors of Towns and Lot holders in any of the Towns in this Territory was Taken up Read & on Motion of Mr Wolfe was Indefinately Postponed

A Message from the house of Representatives By Mr Rengold.

Mr President I am instructed to inform the Legislative Council that the House of Representatives have appointed Messrs Clark Montgomery and Rengold a Committee of Conference to act in Conjunction with Messrs Roche Farelly and Burfield on the bill entitled An Act forming a Judicial System for the Territory of Arkansas and further Regulating the Proceedings in Chancery

And that they have passed a Memorial to the Congress of the United States for the Relief of the Citizens living west of the Western Boundary of this Territory and South of the Arkansas River to which they Request the Concurrence of the Legislative Council

On Motion of Mr. Barfield The Council Resolved itself into a Committee of the Whole Mr. Denlay in the Chair on the Bill to be entitled an act Regulating the Payment of Costs in Criminal Prosecutions and after having the Same under Consideration the Committee rose Reported with an amendment which amendment was agreed to by the Council and the Bill was Read a third time on its final passage and passed and sent to the H. of Representatives for Concurrence

The Bill to be entitled an act to attach a Part of the Lands Acquired from the Cherokee Indians to the Counties of Crawford was Taken up and Read the third time on its final passage and passed &c

Mr. Barfield from the Committee on amendments Made the following Report to wit Mr. President The Committee on enrollments beg leave to Report the following bills which have been duly enrolled and Examined viz An act to legalize the official acts of J. M. Spalding and for other Purposes: An act Supplementary to an act to locate the Seat of Justice in the County of Conway. An act Supplementary to an act entitled an act permanently to locate the Seat of Justice in the County of Clark Approved the 23d October 1827 And Recommend the Same for your Signature

The Legislative Council adopted the Memorial from the House of Representatives To the Congress of the United States for the Relief of the Citizens living west of the Western Boundary of this Territory and South of the Arkansas River

Mr Finley, from the Joint Committee of Conference to whom was referred the Amendment to the Act forming a Judicial System for the Territory of Arkansa and further Regulating the Proceedings in Chancery Made the following Report viz We have Come to the agreement to Recommend that the Legislative Council agree to the Amendment from the House of Representatives to Said bill, Whereupon the Question was Taken upon the agreement and the Yeas and Nays be required thereon were as follows (To wit) Yeas Myers Finely. Richman. Ledgerwood. Pennington. Woody and Mr President 6 Nays Myers Barfield. Barton. Cooke, Quesenbury and Ruyhendahl 5 And So the Amendment was agreed to and the Bill Passed

A Message from the House of Representatives by Mr Johnson

Mr President, I am instructed to inform this House that the Speaker of the House of Representatives have Signed a Bill entitled an act to Locate the Seat of Justice in and for the County of Sevier and for other Purposes

On Motion it is ordered that the Bill entitled an act Permanently to locate the Seat of Justice for the County of Prescott be indefinitely Postponed

On Motion of Mr Cooke the Council Resolved itself into a Committee of the Whole Mr Quesenbury in the Chair on the Bill to be entitled an act further to Regulate the Town of Little Rock and after having Considered the Same The Committee Rose and Reported the bill with an Amendment which Amendment was agreed to by the Council and the Bill as amended Passed and sent to the House for Concurrence

Mr Barfield from the Committee on enrolments Made the following Report (To wit) Mr President the Committee on enrolments beg leave to Report the following Bill which has been duly enrolled and Examined

An Act to locate the Seat of Justice in and for the County of Seven and for other Purposes, and Returns the Same for your Signature

A Message from the house of Representatives by Mr Clark Mr President

I am instructed to inform this House that the house of Representatives have passed a bill entitled an Act Allowing Compensation to the Present General Assembly and its Officers to which they request the Concurrence of the Legislative Council.

And that they have agreed to the Amendment of the Council to the Bill entitled an Act to attach a Part of the Lands acquired from the Cherokee Indians to the County of ~~Lovely~~ Crawford Which Bills were severally Taken up To wit the first was read the first time and on Motion of Mr Farnelly the Rules of the house were dispensed with and the bill was read a Second time and Committed to a committee of the Whole and Made the order of the day for Tomorrow.

The Second was read a third time and Past

A Bill entitled an Act further dispensing the Jurisdiction of the County of Crawford Courts was Read a third time and Passed

The engrossed Bill intitled an act attaching a part of the Lands acquired from the Cherokees by Treaty to the Counties of ~~Lovely~~ Izard Independence and Conway was taken up read a third time and Passed and sent to the House of Representatives for their Concurrence

And Then The Council adjourned

Tuesday 21st October 1828

The Council met Persuant to adjournment Mr Barfield from the Select Committee Appointed to take into Consideration the Governors Message of the 1st Inst Reported that they had had the Same under Consideration And Ask leave to Report the following Preamble and Resolution which was Taken up And Mr Farilly offered an amendment thereto which Amendment was agreed to by the Council The Question was then Taken on the Adoption of the Preamble and Resolution as Amended Viz

Whereas The Governor of this Territory Communicated to both Houses of this Legislature on the 19th Instant a Message informing them that the only object of their Meeting was to take under Consideration the two Subjects Contained in his Message & None being engaged in any business other than that for which they were Convened to the purposes for which they were Convened.

Which Part of Said Message we deem an infringement of our Rights as Constituent Parts of the General Assembly of this Territory and if Submitted to by us under our Present form of Government might form a Precedent Derogatory to the Liberties of the Good people of this Territory, Under those Convictions in defence of what we Conceive our Rights as Members of the General Assembly of this Territory and with a Solemn appeal to our Constituents for the Justice of our Causes in deliberating on the Measures that has Come before us during the Present Session, we will proceed to take a brief view of our form of Government with the Powers and duties of each branch first the Executive by our Organic Law and the laws of this Territory have the Power to Appoint all officers both Civil and Military except those Provided for by Said Organic Law. The duties Construction and Confirmed are to See that the Laws of the United States and the Statutes of this Territory are faithfully executed. As a Constituent Part of the General Assembly we in a Legislative

Exparty have the power to approve & Reject the acts Passed by the Legislative Council and house of Representatives and the Power to Convene the General assembly on Extraordinary Occasions, The duties Constructive and employed are to Recommend to the Consideration of the Representatives of the People Such Measures as May be deemed Necessary for the well being and Good Government of the Territory. What other Powers or duties May be implied under an Anamolous Government We Know Not Our readers Nothing to admit that there is any. Second The Judiciary Those duties are to administer the Laws and have Certain Powers delegated to them for that Purpose & Third the Legislature or Representatives of the People have the Power to enact Laws for there good Government not inconsistant with the Constitution and Laws of the United States Subject to the approval of the Executive. Those Powers and Privileges Constructive and employed are the Control of there own Members and Officers the freedom of debate and the exemptions from arrest in all Civil Cases during there Sessions and going to and returning from the Same. That these branches of our Government Should be Seperate and distinct all time and Experience Proves. Under any interference by one branch of the Government with the Rights or duties of the other is Calculated To destroy that Harmony which Should exist between the three Branches of Government And might be attended with Consequences dangerous to the declared Rights of the Citizen In Support of there Powers without taking taking as Precedent the Federal and State Governments of the United States We need only Refer to the British Monarchy Where by the Common Laws and Customs of Parliament the three Branches of that Government are not only Seperate and distinct but Guarded from interference with each other, with a Jealous and Zealous eye So much So that an attempt to influence one branch of the Legislature in there deliberations by Bribery Known the Sponsors of the other is highly reprehensible and is always met by a Prompt Reprimand. Many authorities might be quoted in Support of this

And Whereas by the Second Message a doubt Seems to arise in the Mind of the Executive of the Right and propriety of us taking under Consideration

Some other Subject than those for which we were Convened. This Right we insist on. And as to the Propriety we must only appeal to our Constituents (To whome alone we are accountable) whether the Subjects on which we have deliberated during the Present Session were necessary for the well being and Government of our Country. Therefore

1st Resolved By the Legislative Council and House of Representatives that a dictatorial Power assumed by the Governor of this Territory over the Representatives of the People is inconsistent with the Principals of free Government

2d Resolved That the Legislature of this Territory when Convened on Extraordinary occasions or for Special Purposes have the Power to deliberate and act on all Subjects either of a Public or Local Nature that to them may seem necessary for the good Government of the Territory

3d Resolved That in accomplishing the important Measures for which we were Convened we regret that from the importance of the Measures that has come before us we have been Compelled to protract the Present Session a few days longer than we anticipated

4th Resolved That we Regret the Course that has Made it necessary in Justification to ourselves and in defence of the Liberties of the People to Spread these Resolutions on the Journals

The Yeas and Nays were Called for on the adoption of the foregoing Preamble and Resolution and were as follows To wit Yeas Messrs Benfield, Burton, Cooke, Dunlap, Fambly, Workman, Litchfield, Kuykendall, Pennington, Wolf and Pro Tem 11

The Bill Relative to Gen Nelson was Taken up and on motion the Read the Bill the 3d time on its final Passage it was Regatived and the Bill Rejected

The Bill intitled an act Regulating the Commissioners of Justices of the peace was Taken up Read a 3d time on its final passage

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On Motion of Mr. Farelly the orders of the day on the Bill entitled an act further Regulating the Payment of Costs in Matters of a Civil Nature by the Justices of the Peace was Postponed and the Bill Taken up for a third Reading and on Motion of Mr. Farelly was Indefinately Postponed.

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On Motion of Mr. Farelly the orders of the day on the Bill entitled an act in amendment to an act [illegible] Exempting Constables from Letting Slaves under Execution and for other Purposes was Postponed and the Bill Taken up Read a third time Passed and Sent to the house of Representatives for there Concurrance

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A Message from the house of Representatives by Mr Hudgins Mr President the Speaker of I am directed to inform this house that the house of Representatives has Signed the following bills to wit An Act Attaching part of the Cherokee County to the County of Cockburn An act further to Regulate the Payment of Costs in Criminal and penal Cases An act for the Relief of Jefferson County An act Attaching part of Cherokee County to Jefferson and Independence Counties. And a Resolution Relative to the entablements on the South western frontier of this Territory. Also that the house of Representatives have Passed a Memorial to the President of the United States for the Survey of the Newly acquired Country from the Cherokees

And that Messrs Clark & Johnson have been appointed a Committee to act in Concert with Such Committee as may be appointed on the

On the Part of the Legislative Council to wait on his Excellency the Governor and inform him that the Gl General Assembly will be ready to adjourn on Tomorrow at 12 o'clock and will receive any Communication he may think proper to make

And then he withdrew

Mr Barfield from the Committee of enrolments made the following Report Mr President the Committee on enrolments &c. have to report the following Bills which have been duly enrolled and examined to wit

An Act Attaching a Part of the Cherokee Country to the County of Cranford

An Act further to regulate the Payment of Costs in Criminal Prosecutions and Penal Cases

An Act for the Relief of Lyon County

An Act Attaching Part of the County Acquired by Treaty from the Cherokees to the Counties of Lyon Independence and Conway

And Request the Same for your Signature

Mr Barfield from the Committee on Enrolments reported a Memorial to the Congress of the United States on the Subject of Reclaiming Lands from the annual inundation between the 35 Degrees and 36 Degrees which was Read twice and adopted by the Council and Sent to the House of Representatives for their Concurrence.

A Message from the House of Representatives by Mr Henderson

Mr President I am instructed to inform this House that the House of Representatives have Agreed to the Amendments Made by the Legislative Council to the Bill entitled an act allowing

Compensation to the Members of the Present General Assembly and its officers, and that they have passed the bill entitled "an act Allowing Compensation to amend an Act further Regulating the Town of Little Rock and to other purposes with an amendment. Also that they have passed the bill entitled an act further defining the Jurisdiction of Circuit Courts with an Amendment which Amendments were Concurred to by the Council

Ordered that Messrs Hickman and Cocke ... appointed a Committee on the part of the Legislature Council to Join the Committee appointed by the House of Representatives to wait on the Governor and inform him that the General Assembly have fixed on Tomorrow for their final adjournment and to receive any Communications he may think proper to make

and then the House adjourned

Wednesday October the 29th 1828

The Council met Pursuant to adjournment Mr Pasfield from the committee on enrollment reported the following enrolled bills and memorials (Court) An act forming a Judicial System for the Territory of Arkansas and further regulating Chancery proceedings. An act in amendment to an act entitled An act forbidding Constables from selling negro slaves under execution and for other purposes passed at the Session of 1827. An act regulating the Commissions of Notaries of the Peace. A Memorial to the President of the United States relative to surveying the late acquired lands from the Cherokee Indians. A memorial to the Congress of the United States for the relief of sundry citizens of Izard County. A memorial to the Congress of the United States praying the appointment of some suitable person or persons to view and examine the practicability of reclaiming from inundation that part of the Little Rock and Memphis road between the Mississippi and St Francis river. An act allowing Compensation

To the members of the present General Assembly
and their Officers and members elect Greetings
For the year 1828. An act further regulating the
town of Little Rock. A memorial to the President
Of the United States relative to Medler County claims.
Mr. Bierman from the Joint committee appointed
to wait on the Governor and inform him that both
houses of the General Assembly would be ready to ad-
=journ this day reported that they had performed the
duty assigned them and learned from the Governor
that he would transmit a message to both houses this
day at half past eleven O'clock. Mr. Danfield submitted
the following resolution (viz) be it resolved by the Gen
=eral Assembly of the Territory of Arkansas that the
Law Agent at the last session of Congress for the
appointment of a fourth Judge for this Territory
be published in the Democrat elected laws of this pre-
=sent session. And that the Governor of this Territory
draw an order on the treasurer for the extra expenses
for publishing said laws, in favor of Wilson E=
=Woodruff Printer, and that the same be paid
by the treasurer. Mr Family submitted the follow
=ing resolution (viz) be it resolved that the furniture of
the Legislative Council be left in the possession
of Charles Caldwell Esqr and that he act for the
same. On motion of Mr Family the rules of the House
and resolution prohibiting the introduction of bills
was dispensed with and leave given to introduce
a bill entitled an act specifying the times of ho
=lding the superior Courts which was read a first
second and third time passed and sent to the House
of Representatives for concurrence. A message from
the House of Representatives by Mr Dean Sec President
Came instructed to inform you that the House
of Representatives have passed the bill specifying
the times of holding the Superior Courts. Mr Danfield
submitted the following resolution (viz) Resolved
that the thanks of the Legislative Council be given
to Edwin S Clarke Esqr for the able impartial
and diligent manner in which he has performed

the duties of the Chair. Resolved that the President of the Legislative Council and Speaker of the House of Representatives be authorized to adjourn this respective houses sine die.

The following Verbal message from the Governor by his private Secretary Mr. Johnson informing the Legislative Council that he has assented the Act specifying the times of holding the Supreme Court

Mr. Farrelly submitted the following resolution (viz.)
Be it resolved that Charles Calderwood visits the assembled of this house for his assiduity and strict attention to in performing the duties of Secretary, which was adopted and then the Council adjourned sine die.

Edwin J. Clark President of the Legislative Council.

Attest

Thos Caldwell

Secretary